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ILLINOIS COMMERCE COMMISSION

PEARLE VISION

**Bricktown Square Mall
6560 W. Fullerton
Chicago, IL 60707**

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ILLINOIS
COMMERCE COMMISSION

August 07, 2007

Hon. Glennon P. Dolan
Administrative Law Judge
Illinois Commerce Commission
160 North LaSalle, Suite C-800
Chicago, IL 60601


Response
07-0235

This is our response to the motion of Mpower to dismiss the case Docket 07-0235. This motion contains no new statements. They reiterate the same statement that the billing is correct and the Internet service requires designation of a circuit and therefore becomes a telecommunications service with all the surcharges and taxes applied. This is contradicts:

1. The technical aspect of DSL service, which does not require any additional telecommunications line.
2. The contract agreement stating that the service provides four telecommunication lines, not five.
3. The Internet Tax Nondiscrimination Act passed by US Congress (Public Law 108-435)

We are attaching the copy of the text of this Act of US Congress.
On the basis of the above facts, we petition this court to grant us official hearing before Illinois Commerce Commission.

Respectfully submitted,


Joshua Zavelevich
Franchisee
Pearle Vision

cc: Thomas H. Rowland

CERTIFICATE OF SERVICE

I, Joshua Zavelovich, do hereby certify that I have, on this 7th day of August 2007 caused to be served upon the following individuals a copy of the foregoing correspondence letter of Pearle Vision directed to Mr. Thomas H. Rowland representing Mpower Communications of Illinois in Docket 07-0235.


Joshua Zavelovich
Pearle Vision Store

Glennon P. Dolan
Administrative Law Judge
Illinois Commerce Commission
160 North LaSalle, Suite C-800
Chicago, Illinois 60601

Thomas H. Rowland
Rowland & Moore LLP
Suite 400
200 West Superior Street
Chicago, IL 60610